

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

EASTMAN KODAK COMPANY,  
Plaintiff,

v.

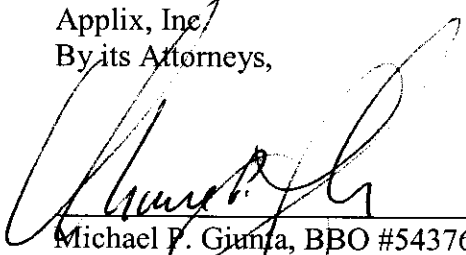
SUN MICROSYSTEMS, INC.,  
Defendant.

)  
)  
) MBD No. 03-MC-10333-DPW  
)  
) Related Civil Action No. 02-CV-6074T(F)  
) (W.D.N.Y.)  
)  
)  
)

STIPULATION OF DISMISSAL OF APPLIX, INC. MOTION


Applix, Inc., the non-party witness and recipient of a subpoena duces tecum served in the above-entitled action and Sun Microsystems, Inc., the issuer of the subpoena duces tecum, hereby stipulate that Applix, Inc.'s Motion to quash deposition subpoena duces tecum be dismissed.

Applix, Inc.  
By its Attorneys,

  
Michael P. Giunta, BBO #543768  
DONOVAN HATEM LLP  
Two Seaport Lane  
Boston, MA 02210  
Tel No. (617) 406-4500

Date: December 18, 2003

Sun Microsystems, Inc.  
By its Attorneys,

  
James F. Feeney  
Wilson Sonsini Goodrich & Rosati  
650 Page Mill Road  
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